

APPENDIX D – Summary of Responses to Statement of Principles

Area of Policy	Ref	Respondent	Summary of Comments	Consideration/appraisal	Response
Part B, Section 3 - Location	Part B, S3	Gosschalks on behalf of Association of British Bookmakers	2 nd paragraph in this section should be amended as any such policy is likely to be unlawful and is certainly contrary to the overriding principal contained within S153 of Gambling Act 2005 that the licensing authority will aim to permit the use of premises for gambling.	Comment considered and agreed that paragraph should be removed.	We do not have a specific policy that determines areas that gambling premises should not be located and therefore it is unnecessary to refer to not having one. If we wished to introduce one, we would look at the lawfulness of such a policy and as such a major change it would need to go out to consultation. By removing the paragraph it does not prevent such a policy being discussed or implemented.
Part B, Section 4 – Planning	Part B, S4	Gosschalks on behalf of Association of British Bookmakers	Paragraph would be assisted by reference to S210 Gambling Act 2005 which states, “the licensing authority shall not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with the Law relating to planning or building”.	Comment considered and paragraph amended.	Policy is already clear about what we should and should not have regard to but can add at end of paragraph that “the local authority is aware of S210 of the Gambling Act 2005 and will have regard to this in any decisions made”.
Part B, Section 7 – Licensing Conditions	Part B, S7	Gosschalks on behalf of Association of British Bookmakers	This section would be assisted by a clear explanation that all Gambling Act 2005 premises licences are subject to mandatory and default conditions which are usually sufficient to ensure operation that is reasonably consistent with the licensing objectives. The section would also be assisted if it was clear that additional conditions will only be considered where there is clear	Comment considered and agreed to add a sentence regarding mandatory and default conditions. No other changes deemed necessary.	Mandatory and Default Conditions are referred to earlier in the Statement of Principles (Part B, Section 1 – General Principles) but it makes sense to refer to them again in this section. In regards to making it clear that additional

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			<p>evidence of a risk to the licensing objectives in the circumstances of a particular case. The section should then state that it is only where there is this clear evidence that additional conditions to supplement the mandatory and default conditions would be considered.</p> <p>It is important that this evidential basis for additional conditions is made clear and that conditions are not imposed simply where there is a “perceived need” (Part B – 7. Licensing Conditions) or “where it is believed to be necessary” (Part B – 1. General Principles).</p>		<p>conditions will only be considered when there is clear evidence of a risk to the licensing objectives, the policy already states that any conditions will proportionate, reasonable and made on a case by case basis. It is therefore unnecessary to add anything further.</p> <p>In regards to making it clear that there needs to be evidential basis for additional conditions, the policy refers to treating each application on its individual merit and would only add conditions if evidence was presented that made the local authority feel that they would be in keeping with the promotion of the licensing objectives.</p>
General Comment	General comment	Individual respondent	Respondent does not agree with gambling in any form	Comment considered.	The local authority is aware that moral objections are not a valid reason to reject applications or should be taken into account when producing the statement of principles.